REMARKS

Entry of the foregoing, reexamination and reconsideration of applicants' application is respectfully requested in light of the following remarks.

Applicants note with appreciation the personal interview between Examiner Ketter and applicant's representatives on February 3, 2000. During the interview, the new claims added in the reissue application were discussed, including where support for the claims may be found in the application. No agreement was reached regarding the claims.

In response to the Examiner's request, a substitute specification is enclosed to incorporate amendments made in the Certificate of Correction filed for Grinnell, U.S. Patent No. 5,681,932 on July 20, 1998. In addition, the claims have been amended to correct an inadvertent error in numbering. In reviewing the claims, Applicant recognized that claim 24 had been omitted. Claims 25-35 have thus been renumbered as 24-34 to correct this error.

In the Official Action, the reissue oath/declaration was allegedly defective for failing to state:

(1) that the declarant has reviewed and understands the contents of the application as amended; and

(2) that all errors being corrected up to the time of filing the oath/declaration arose without any deceptive intention.

The claims were rejected under 35 U.S.C. §251 as being based upon an allegedly defective reissue declaration. The objections to the declaration and rejection of the claims are

now moot in view of the submission of a new Reissue Declaration. Consideration of the new Declaration and withdrawal of the objection and rejection are respectfully requested.

Claim 17 has been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Bajaj et al. This rejection is respectfully traversed.

Bajaj et al teaches human factor VII which is gamma-carboxylated. The Official Action asserts that there is no inherent distinction between naturally-produced proteins and recombinantly-produced proteins. This assertion is in error.

Applicant's claim 17 is directed to a "recombinant γ-carboxylated protein produced by inserting a vector comprising a DNA vector encoding such protein into an adenovirus-transformed host cell, then culturing said host cell under conditions suitable for production of said recombinant protein." As taught in the instant application, applicant surprisingly found that γ-carboxylated proteins recombinantly produced using an adenovirus-transformed host cell have different glycosylation patterns than the naturally-produced proteins. This is shown for human protein C, for example, in Table 2 at page 17 of the reissue application. As shown therein, the glycosylation pattern for naturally-occurring human protein C differs from that for the protein recombinantly produced using adenovirus-transformed host cells.

Since Bajaj et al fails to teach a recombinant γ-carboxylated protein produced using an adenovirus-transformed host cell, the reference fails to teach a recombinant γ-carboxylate protein as instantly claimed. As discussed *supra*, there is a difference between naturally-produced proteins and recombinantly-produced proteins as claimed.

In view of the above, withdrawal of the rejection of claim 17 is respectfully requested and believed to be in order.

Further and favorable action in the form of a notice of allowance is respectfully requested. Such action is believed to be in order.

In the event that there are any questions relating to the response or the application in general, it is respectfully requested that the Examiner contact the undersigned attorney by telephone so that prosecution will be expedited.

Respectfully submitted,

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